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Report of the United Nations High Commissioner for Human Rights

Building a partnership for human rights

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COLLECTION

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Introduction

1. This year is the fiftieth anniversary of the Commission on Human Rights, the first international body charged with the mandate of ensuring universal human rights. This is a fitting time to pay tribute to the members of this organ which throughout its history has seen enormous efforts and great achievements, but also moments of deep despair. Although much still remains to be done, we can see that the accomplishments of the past 50 years have gone far beyond even the optimistic expectations that accompanied the birth of the Commission. Half a century of crucial work for human rights has benefited people all over the world. Let this encourage us in our continuing commitment to assist people suffering under oppression by violators of their human rights or other circumstances affronting their dignity.

2. The international community is also on the eve of important events which will greatly affect the United Nations human rights programme at the dawn of the next century. The fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the Vienna Declaration and Programme of Action are now only one year away; 1998 thus presents a unique opportunity for the international community to take stock of the state of human rights promotion and protection throughout the world and to chart a clear course for greater enjoyment of human rights by all people in the decades to come.

3. Today we understand even more clearly than before that human rights is an equal and integral part of the triad of United Nations goals: peace, development and human rights. After his election as the sixth Secretary-General, Mr. Kofi Annan told the General Assembly "All the old problems - particularly peace and security among nations and social justice for their peoples - still confront us. But the old approaches to these problems must be broadened. A new understanding of peace and security must emerge. The world is beginning to recognize the many roots of conflict, the economic base of stability, and the grim truth that intolerance, injustice and oppression - and their consequences - respect no national frontiers." This holistic approach is being stressed at a time when the challenges to the protection of human rights are formidable. Fortunately, a growing consensus favours a stronger role for human rights in contributing to improving the lives of people in the communities where they live and to positive international relations. Let a partnership for human rights emerge worldwide, uniting people, institutions and States for the sake of every human being. Working together, the human rights community will make the United Nations human rights programme a programme of all people everywhere: **strong**, to prevent human rights violations; **reliable**, to protect and defend victims; **interactive**, to be shaped by all the actors concerned; **flexible**, to react to evolving needs; **compelling**, to build a worldwide Partnership for Human Rights.

4. The General Assembly at its fifty-first session adopted by consensus the Medium-Term Plan for the period 1998-2001. The plan, which includes the promotion of human rights as one of the priority areas of work of the organization, clearly identifies the strategic objectives for the United Nations human rights programme into the next century: "to emphasize the importance of human rights on the international and national agendas; to promote international cooperation for human rights; to stimulate and coordinate action across the whole United Nations system; to promote universal

ratification and implementation of international standards and to assist in the development of new norms; to support human rights organs and treaty monitoring bodies; to anticipate potential serious violations and react to violations; to emphasize preventive human rights action and promote the establishment of national human rights infrastructures; to undertake human rights field activities and operations and to provide education, information, advisory services and technical assistance in the field of human rights."

5. Our future work will be based on the firm foundation which has been established since 1945 and which has been significantly enriched in the years after the World Conference on Human Rights. The increase in the number of ratifications of human rights instruments, the number of United Nations human rights field activities, the number of technical cooperation programmes delivered worldwide, the number of newly established national institutions for the promotion and protection of human rights, and the number of monitoring activities reflect the impressive development of the United Nations human rights programme. In this context also, preventive activities, special programmes for the promotion and protection of the rights of women, children, indigenous people, minorities, etc. highlight the progress achieved. Great challenges to human rights clearly remain, but the United Nations human rights programme today is better equipped than ever to address them.

6. Strengthening the system of international human rights instruments should be a key element as we move towards 1998. States which have not yet ratified, acceded or succeeded to the principal human rights instruments should do so without reservations. Existing instruments should be strengthened by expanding the range of activities to monitor the conformity of national laws and practices with international norms freely accepted and subscribed to by sovereign States. Treaty-based bodies should be enabled to fully accomplish their mandates and to live up to the expectations of groups and individuals all over the world who regard them as the international legal authority in the field of human rights.

7. This report reflects the current policy orientation of and guiding elements for the High Commissioner's action. It also presents a brief summary of the High Commissioner's activities since submitting his report to the fifty-first session of the General Assembly (A/51/36).

I. HUMAN RIGHTS: THE COMMON LANGUAGE OF HUMANITY

A. Towards a culture of human rights

8. The fifty-year history of international human rights promotion and protection began with the belief of the drafters of the Charter of the United Nations and the Universal Declaration of Human Rights that each person is endowed with equal individual dignity and rights, and that this value must be protected by a set of fundamental principles. This commitment to a shared vision of the common rights of all people has inspired and challenged the international community during the past decades, and continues to shape the

plans and actions of Governments and international organizations. Guided by this commitment, non-governmental organizations and individuals serve as the eyes and ears of the international community and speak out when human rights standards are not being met. All of these contributions have benefited the lives of countless individuals around the world and must continue in years to come.

9. The record of the Commission on Human Rights and other human rights organs and bodies shows, however, how much remains to be done in order to achieve complete respect for human rights globally. As the international community approaches the fiftieth anniversary of the Universal Declaration of Human Rights, the time has come to take bold steps towards the goal of universal understanding of and commitment to human rights. Today, the international community, which is guided by treaties, declarations and agreements, must also move to a high moral plane where a culture of human rights permeates the minds and hearts of all people. This culture would ultimately result in a profound change in how individuals, communities, States and the whole international community view relationships in all matters. Such a culture would make human rights as much a part of the lives of individuals as are language, customs, the arts, and faith. This new culture would result in human rights being the common set of values which bind all people together.

10. The process of globalization exposes the international community more than ever to human rights challenges, but also serves as a catalyst for developing a human rights culture. Human rights problems frequently cross State frontiers and, therefore, their resolution increasingly requires measures to be taken in the framework of international cooperation. In this sense, people worldwide have become neighbours who should be ready to assist those in need. This phenomenon contributes to the emergence of a human rights culture which is rich because of its multicultural roots and identities.

11. A human rights culture means collective and individual responsibility, now and for generations to come. Everyone bears this responsibility. Governments' share in this respect is critical. As holders of power and as the major actors in international relations, they have the greatest possibilities and the strongest means to promote and protect human rights. The Vienna Declaration and Programme of Action in its first paragraph says: "Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments."

12. The contemporary world requires Governments to go further than ever before in carrying out their responsibility for human rights. Refraining from interfering with and violating the rights and freedoms of individuals is no longer enough. Governments are expected to actively promote and protect human rights, to prevent ethnic and religious conflicts, to eradicate hunger and extreme poverty, and to promote sustainable development. The root causes of human rights violations cannot be removed without the determined actions of Governments both at the national and international level. Governments can count on the support of the international community, including the United Nations human rights programme in these endeavours.

13. In order for human rights to be woven into the fabric of every community, individuals must not only understand their fundamental rights, but

must also be willing to personally commit themselves, each in his or her own way, to the ongoing work of ensuring the protection of those rights. This personal commitment can obviously take many forms, from voting and participating in the civic life of communities, to speaking publicly on behalf of those whose voices have not been heard. Countless examples from around the world clearly demonstrate the degree to which individuals have been willing to work to ensure protection for human rights. This spirit of dedication and responsibility must be a natural element of communities which value service, civic participation, and education in the principles of democracy and human rights. Such efforts must be renewed continually to ensure that each generation understands and accepts the responsibilities inherent in the life of communities where human rights are enjoyed by all people.

14. Those committed to ensuring human rights for others know very well that this involvement often entails personal risk. Nevertheless, the human rights community was shocked to learn of the recent deaths of five United Nations human rights officers in Rwanda and six colleagues of the International Committee of the Red Cross in Chechnya, all of whom gave their lives in the hope of better lives for others. Their sacrifice should inspire the international community in its efforts to guarantee human rights for all people.

B. Human rights education

15. Human rights education is the basic vehicle of the human rights culture which can flourish only when people are aware of both their rights and their responsibilities as individuals and as members of international, national and local communities. Long-term and vigilant human rights protection cannot be imposed from above; rather, it must come from a sustained domestic demand for human rights from the people. Human rights education is not only an end in itself but also leads to empowerment, and therefore change; in this sense, it constitutes a crucial and enduring contribution to the prevention of human rights abuses and an investment in achieving a just and humane society.

16. The United Nations Decade for Human Rights Education (1995-2004) is an effective framework for wide partnerships to cooperate in building a universal culture of human rights. Two years of the Decade have passed; it is therefore an appropriate time for the international community to reflect on the Plan of Action in the light of its practical implementation, in order to identify its primary objectives more precisely. A basis for this reflection is provided in the report of the High Commissioner on the implementation of the Plan of Action (E/CN.4/1997/46). Particularly encouraging are numerous initiatives at the national level, which are one of the main focuses of the Plan of Action. Broad alliances among existing and new partners for human rights education are being developed in a number of countries. Not only national projects are important; but literally each initiative - in neighbourhoods and in vast metropolitan areas, in primary schools and at the university level, among trade unions and in artistic circles - makes a contribution. Education is a movement, not merely a structure of instruction. During a recent meeting of human rights educators, convened by the High Commissioner in Geneva from 27 to 30 January 1997, an approach to human rights education based on a variety of strategies for furthering human rights education at the national and international levels dominated the debate. The results of this meeting will

be of great assistance in future work. The High Commissioner will continue to support activities in the field of human rights education and looks forward to stronger partnerships at all levels in this regard.

II. HUMAN RIGHTS: THE SIGNPOST TO SUSTAINABLE DEVELOPMENT

A. Democracy, development and human rights

17. The World Conference on Human Rights (1993) recognized the functional link between democracy, development and human rights. Without democratic structures in place through which people can actively participate in the civic life of their communities, and without economically sound development strategies to provide people with the material requirements of life, human rights cannot be fully guaranteed. Equally important, development is more than economic growth. The criteria for sustainable development should include better protection of all human rights: civil, cultural, economic, political and social, as well as protection of the most vulnerable and impoverished. The efforts of the United Nations human rights programme today are testimony to the belief that individuals, when provided with the knowledge of human rights and the tools of democracy and development, can create better communities for themselves. The right to development has taken its proper place as one of the necessary components of a democratic society which respects all human rights and strives for sustainable development.

B. The right to development

18. The right to development - a universal and inalienable human right of every individual, as reaffirmed in the Vienna Declaration and Programme of Action - should be exercised in a manner that will allow the developmental needs of present and future generations to be equitably met. The basic link between democracy, development and human rights requires that all human rights be viewed as universal, interdependent and equally important. The concept of the right to development allows the ties between all rights to be recognized and enables them to be integrated into a system of rights as perceived from the perspective of the individual's participation in sustainable development. Consequently, the right to development includes the place of individuals in civil society, their participation in running community affairs, their personal security and their capacity to determine and realize their potential. The holistic approach to human rights requires, however, that particular attention be paid to the areas of human rights which are currently in a weaker position: from a global perspective, economic, social and cultural rights require further attention in determining their contents and strengthening the means and methods of their realization.

19. The right to development is an increasingly important vehicle for combating the social, economic and cultural exclusion which is felt by many people today in communities around the world. The opportunity to work and have enough to eat is as critical to human dignity and democracy as is the opportunity to vote and to speak freely. As in the case of all other human rights, the implementation of the right to development requires, first and foremost, to be translated to the domestic level. The Agenda for Development, and the Copenhagen Declaration on Social Development clearly recognized each

State's primary responsibility for its own development. The World Conference on Human Rights underscored that while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. Whether expressed in terms of State responsibility or of international human rights, development requires competent governmental leadership, coherent national policy, and strong popular commitment. It is a means for ensuring democracy at the national and international levels, and for improving incomes, health and social services, and the general living conditions of all people. However, sustainable development also requires appropriate international arrangements on the basis of which cooperation and assistance can be offered to countries and societies which need it. The World Social Summit in Copenhagen, the Food Summit in Rome, and Habitat II in Istanbul all stressed that the international community cannot limit its involvement to humanitarian aid. Creating the conditions for sustainable development worldwide is of paramount importance in ensuring that all human rights, including the right to development, will be duly implemented. To assist Governments in their efforts, the High Commissioner initiated, in cooperation with regional economic commissions, seminars on the right to development with the representatives of national planning institutions and United Nations agencies and programmes.

20. International cooperation is indispensable for the implementation of the right to development. United Nations agencies and programmes which are mandated in the areas of development and human rights can play a crucial role in this regard. It was vital that the international conferences related to social issues were open to contributions by the United Nations human rights programme and adopted provisions relevant for strengthening human rights in their respective areas of concern. The High Commissioner has established close contacts with UNDP, the regional economic commissions, the World Bank, UNCTAD and other agencies, all of which contribute to good governance, rule of law, and protection of human resources, areas in which the United Nations human rights programme targets its activities. This is a good basis for working closely together. Within the High Commissioner/Centre for Human Rights a special "Research and Right to Development Branch" addresses this area.

III. HUMAN RIGHTS: EQUALITY AND NON-DISCRIMINATION

21. Ensuring equal access to human rights and eliminating all forms of discrimination remain great challenges to contemporary societies. Racial discrimination, ethnic conflicts and anti-Semitism as well as hostility against migrant workers, immigrants and foreigners in general are painful examples of the barriers to the protection of rights and freedoms. A spirit of solidarity should override the inclination to egoism and become the basis for living together in harmony. A central priority of the United Nations human rights programme is removing the root causes of discrimination and combating its manifestations. The Organization's efforts require support worldwide, at the international, national and grass-roots levels.

22. The international community should support anti-discriminatory patterns of behaviour and focus on the promotion and protection of the rights of specific target groups such as women, children, minorities, indigenous people and the disabled. Legal standards established by the United Nations prohibit

discrimination and provide a basis for the affirmative support of those who are underprivileged or vulnerable. The Third Decade to Combat Racism and Racial Discrimination, the International Decade for the World's Indigenous People, the United Nations Decade for Human Rights Education, the programmes for the protection of minorities, special activities for women and children, and the technical cooperation programme all allow for individual and joint actions at every level. The international community should make every effort to combat discrimination, which violates the equal dignity of all people and which leads to serious conflicts resulting in massive violations of human rights. At the threshold of a new century, it must be ensured that future generations will live in conditions where each human being receives equal respect, wherever he or she lives or whatever his or her origins.

23. It is encouraging that United Nations agencies and programmes have increasingly entered into joint activities aimed at combating discrimination. Important developments in this regard took place in 1996 (see A/51/36). The High Commissioner recently initiated inter-agency consultations on the protection of minorities. The third meeting on this important issue will be held before the next session of the Working Group on Minorities. Various dimensions of discrimination, especially against racial and ethnic groups, women and children, have also been the focus of attention of the human rights treaty-based bodies and special mechanisms of the Commission. Relevant information is available in the respective reports to the General Assembly and to the present session of the Commission on Human Rights.

IV. HUMAN RIGHTS: THE FREEDOM FROM VIOLATIONS

24. Making human rights a reality is a high legal and moral imperative to which the entire international community has committed itself. It implies creating conditions for the well-being of people, peaceful relations between States, and progress in all areas of life for individuals and communities. Philosophers and moralists, lawyers and politicians, know very well how important human rights are for civil community life and good governance. Economists know the costs of resolving emergency situations which could have been avoided if human rights had been effectively promoted and respected. Finally, and most important, people all over the world have testified to their firm belief in human rights as the set of standards protecting values that are indispensable for a better world. International concern for human rights, wherever they are in danger, is therefore not only legally justified, but also constitutes a necessary component of future-oriented international and national policies. The experience of countries which have chosen the challenging road to sustainable development, democracy and human rights, and which are already beginning to enjoy the fruits of this decision in the form of interrelated economic progress, political consolidation and social stability, proves that human rights are not only noble ideas. They are also practical tools to shape the lives of people everywhere.

25. The General Assembly and the Commission on Human Rights, treaty bodies, country and thematic special rapporteurs and working groups all agree that the implementation of human rights should be at the centre of international attention. They continue to express their concern about obstacles to the enjoyment of all human rights by everyone, about serious human rights violations and about difficult human rights situations in a relatively large

number of countries. Extreme poverty and problems related to sustainable development, international debt, impunity, racism and xenophobia, discrimination against women, ethnic and religious intolerance, mass exoduses and refugee flows, armed conflicts and terrorism, and lack of the rule of law are highlighted by the resolutions of United Nations organs as being major obstacles to the full realization of human rights. The international community has repeatedly been alerted to extrajudicial, summary or arbitrary executions, torture and enforced disappearances, arbitrary detention, violence against women, children and vulnerable groups, the problem of internally displaced persons, etc.

26. All those who deal with the implementation of human rights know that no country can be absolutely satisfied with its human rights record. The promotion and protection of human rights must therefore be perceived as a continuing effort, both at the national and the international level. It is particularly important that the General Assembly and the Commission on Human Rights in their resolutions, treaty bodies in their views, special mechanisms in their recommendations, and finally the general public in their attitudes and actions, attach particular attention to the following situations: grave and massive human rights violations; refusal by Governments to lend their full cooperation to the United Nations human rights machinery, in particular to the Commission or its mechanisms; and intimidation and reprisals against private individuals and groups who seek to cooperate with the United Nations human rights machinery. In his dialogues with Governments and contacts with civil society, the High Commissioner for Human Rights also attaches prime importance to these issues.

27. It is vital that the recommendations adopted by the competent United Nations organs and bodies be implemented vigorously and without delay. In many cases the response of Governments indicates their willingness to react constructively to the voice of the international community. The High Commissioner continues to contribute to this process, inter alia, through dialogues with Governments and through the Programme of Technical Cooperation. He has also taken steps to improve the coordination of efforts between various parts of the human rights machinery to avoid unnecessary duplication. For instance, channels of information on planned and ongoing initiatives among treaty bodies, special mechanisms of the Commission and the High Commissioner allow for more effective and less expensive operation. This process is supported by the new horizontal concept information flow within the High Commissioner/Centre for Human Rights.

V. THE HUMAN RIGHTS PROGRAMME: RESPONDING TO NEEDS

A. Preventive and responsive action - Field work

28. The international community must act with energy to eradicate gross violations of human rights and humanitarian crises, which are major human tragedies and result in millions of refugees and internally displaced persons, starving children and adults, lack of medical care, and hopeless futures for thousands lost and sometimes forgotten in even the most developed countries. The international community does not want to be a silent or passive witness and strongly advocates measures preventing human rights violations. Through training, assistance in national programmes and monitoring, much can be

achieved. Strengthening preventive human rights activities is wise not only in human terms but also in economic terms. Those responsible for the conduct of international affairs should especially ensure that the efforts of the international community lead to determined and timely action.

29. A human rights field presence, established with the consent of the authorities of the States concerned, is one of the major innovations introduced under the mandate of the High Commissioner for Human Rights in the implementation of the United Nations human rights programme. Experience has proved that the effective implementation of human rights is greatly facilitated by activities in situ. In some countries, the human rights presence has been established as an autonomous project, in others it is part of a broader United Nations involvement as in the case of the United Nations human rights programme for Abkhazia, Georgia. Some operations integrate assistance and monitoring functions, whereas others are mandated exclusively in the area of technical assistance. The flexibility of the human rights field presence is one of its strongest assets. In 1992 there were no human rights field activities; the High Commissioner/Centre for Human Rights now has offices in 11 countries in all regions. Recently, human rights field offices have been opened in Abkhazia (Georgia), Colombia, Gaza (Palestine) and Zaire.

30. The country involvement of the United Nations system has changed not only quantitatively but also qualitatively. In the case of non-international conflicts, not only regular armies, but also militias and armed civilians with little discipline and ill-defined chains of command are involved. Humanitarian emergencies involving waves of refugees and internally displaced persons are commonplace. The collapse of State institutions, including the police and judiciary, and a breakdown of law and order commonly follow such situations. Acting authorities are not in a position to meet the emerging needs. All of these situations create new challenges for the United Nations, both in the field and at Headquarters. An effective response must include the promotion of national reconciliation, confidence-building measures, restoration of human rights and the re-establishment of effective government. This is an area for close cooperation among relevant United Nations agencies and programmes which should utilize the potential of the United Nations human rights and humanitarian programmes. With its encouraging experience in the field, the United Nations human rights programme is ready to develop such cooperation further, both at the Headquarters level and on the ground. The considerable expertise of the United Nations human rights programme should be considered as an important asset in the country projects carried out by the United Nations.

B. Technical cooperation

31. The Programme of Technical Cooperation, through which the High Commissioner for Human Rights provides advisory services and technical and financial assistance to countries at the request of Governments, is a fundamental part of the United Nations human rights programme. It offers constitutional and legislative assistance; human rights support to parliaments; human rights training; assistance in strengthening the

administration of justice (including human rights training for the legal profession, police and prison officials); assistance for the establishment of independent, effective national human rights institutions; assistance for the conduct of free and fair elections; and support to non-governmental organizations and civil society. 1/

32. On the basis of a comprehensive review of the activities of the Programme, the High Commissioner has developed the following policy orientation: the Programme focuses on countries in transition to democracy and less developed countries; priority consideration is given to programmes addressing mandates emanating from the Vienna Declaration and Plan of Action and from resolutions of United Nations organs, such as strengthening national capacities for the promotion and protection of human rights, the promotion of economic, social and cultural rights, developing national plans of action, and building national institutions.

33. In order to carry out its growing tasks, the Programme of Technical Cooperation will be strengthened still further. Nineteen ninety-six brought improvements in the management of the programme, including training of staff and dialogue with all programme partners. Important efforts have been made in the areas of economic, social and cultural rights and the right to development and in integrating a gender perspective into all activities. Further, the integration of human rights into the full range of United Nations technical cooperation activities offers more possibilities of ensuring a climate in which human rights can be respected and protected.

34. Funding for the Programme of Technical Cooperation is provided under the regular budget of the United Nations and by the Voluntary Fund for Technical Cooperation in the Field of Human Rights. The Fund has to date received more than US$ 18 million in pledges and contributions. Steps have been taken to ensure efficient management of the resources of the Voluntary Fund. To meet the rapidly evolving tasks of the Programme, a new approach to its financing is required which, in the view of the High Commissioner, must be based on increased funds from the regular budget, expanded partnerships with United Nations agencies and programmes, including UNDP and the World Bank, NGOs and academic institutions, and on a greater contribution by Governments interested in receiving technical assistance. Specific projects, which are increasingly funded or co-funded by other agencies and programmes of the United Nations system, reflect this approach.

C. National human rights institutions

35. The role of independent national institutions in promoting and protecting human rights is now recognized as extremely important for ensuring the implementation of human rights at the national level. Such institutions play the important role of supplementing, and if necessary providing advice to correct the actions of State organs. They also often assist the most vulnerable and disadvantaged individuals who may not have access to courts or other traditional means of protection. The World Conference on Human Rights emphasized the importance of creating and strengthening national institutions. Close cooperation with United Nations agencies and programmes such as UNDP and with a number of multilateral organizations has been important in advancing these efforts.

36. The High Commissioner has focused specific attention on strengthening existing national institutions and to creating new ones. Projects for this purpose have recently been conducted or initiated in a number of countries, including: Bangladesh, Latvia, Malawi, Mongolia, Nepal, Papua New Guinea, the Republic of Moldova, South Africa and Uganda. Work aimed at strengthening existing national institutions has also been conducted in India, Indonesia and the Philippines. In addition, preliminary advice concerning appropriate legislation has been provided to several countries, including Burundi, Sri Lanka and Thailand.

VI. THE HUMAN RIGHTS PROGRAMME: EXPANDED PARTNERSHIPS

37. Human rights, as the moral foundation of international relations, must permeate all activities of the United Nations. The need for cooperation and coordination of the related efforts was forcefully stressed by the World Conference in 1993. Today, activities of the humanitarian and development agencies, within their respective mandates, clearly contribute to the promotion of human rights. For its part, the United Nations human rights programme contributes to the prevention of humanitarian disasters, to recovery in their aftermath, and to economic development through strengthening the internal stability of countries based on respect for human rights and promotion of the rule of law and good governance. The complementarity of United Nations programmes is becoming a reality. This perspective was adopted in the Medium-Term Plan (1998-2001) for human rights and provided the framework for the restructuring of the High Commissioner/Centre for Human Rights. The United Nations human rights programme is part of the United Nations programme and requires the continuing support of other United Nations agencies and programmes. Cooperation is also essential with regard to other partners: Governments, international organizations, non-governmental organizations, the academic community and civil society in general. The new century should be marked by a worldwide Partnership for Human Rights. The United Nations human rights programme will continue to contribute to that end, and to strive to expand the human rights constituency.

38. Expanded partnerships, based on the full respect for the mandates and responsibilities of each partner, open new horizons for the United Nations human rights programme. Today's expectations result from recent positive experience. Cooperation with the Organization for Security and Cooperation in Europe (OSCE) and UNDP in establishing national human rights institutions in Latvia and Mongolia, a stand-by agreement with the Norwegian Resource Bank for Democracy and Human Rights (NORDEM) concerning support for field activities, cooperation with the International Commission of Jurists in establishing the field office in Colombia, support by the European Union for the programmes in Burundi, Colombia and Rwanda, support for the African Commission on Human and Peoples' Rights, Memoranda of Understanding with UNESCO, the United Nations Volunteer programme, and with the International Human Rights Institute in Strasbourg and the Andean Commission of Jurists are examples of extended partnerships.

39. Particular attention is paid by the High Commissioner to cooperation with civil society, and especially with the non-governmental community - one of the pillars of the United Nations human rights programme. Close consultations by the High Commissioner with NGOs in programming human rights

activities, country visits, meetings of the United Nations human rights organs, and reaction to human rights violations are now established practice. In the area of promotion of human rights, including human rights education and human rights institution-building, NGOs are crucial partners. Regular discussions are held with NGOs in all field offices. NGOs also play an important role by providing information to the United Nations human rights machinery. The partnership between the United Nations human rights programme and NGOs will be further promoted and made more effective, including through participation in the implementation of technical cooperation projects and preparations for the fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the Vienna Declaration and Programme of Action.

40. A proper legal framework for protection should be established, to facilitate the very important work in the area of human rights of individuals, groups and organs of society. In this context, the High Commissioner, referring also to the calls of the General Assembly and the Commission on Human Rights, appeals to the Working Group of the Commission on Human Rights to complete as soon as possible the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. This would be an appropriate contribution to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights.

VII. THE HUMAN RIGHTS PROGRAMME: CAPABILITIES AND CHALLENGES

A. Human rights machinery

41. The machinery of organs and procedures in the field of human rights which the international community has created since 1945 requires adaptation to evolving needs. The World Conference recognized this necessity, in particular with a view to enhancing coordination, efficiency and effectiveness of action, but also by calling for effective measures to improve specific mechanisms established to guarantee and monitor the implementation of human rights standards. The General Assembly, the Commission on Human Rights and other human rights organs and bodies have taken steps to follow the recommendations of the World Conference. In addition to the creation of the post of High Commissioner for Human Rights, relevant changes have been introduced in the work of treaty-based bodies and special mechanisms of the Commission. The annual meetings of the chairpersons of the treaty bodies and of the holders of the special mandates established by the Commission on Human Rights dedicate the majority of their time to considering how to improve the work of the respective organs and procedures. The Commission itself has launched the process of change. However, the response to the call for reform requires further efforts. Now, when the entire United Nations system is taking up the task of adapting its programmes and structures to the challenges of the next century, when the United Nations human rights programme is approaching the great events of the year 1998, the Medium-Term Plan (1998-2001) and the restructured High Commissioner/Centre for Human Rights provide a basis for the reform of the human rights machinery.

42. Reform should aim at making the human rights machinery more effective and cost efficient in its promotion and protection activities; more responsive to evolving needs; able to act swiftly and react appropriately to human rights situations; and more transparent and clear to the outside world. To that end, the High Commissioner will continue to contribute through a better system of information, reviews and studies, through providing a framework for coordination of action, and through a more supportive secretariat. However, reform also requires decisions to be taken by Governments, especially with regard to human rights treaty bodies and the Commission on Human Rights and its mechanisms. The High Commissioner looks forward to cooperating in this regard with Governments and with the human rights organs and bodies. The High Commissioner/Centre for Human Rights is ready to provide organizational support for an examination by the international community of basic questions, for example: Which particular phenomena in the field of human rights require the relevant protection mechanisms to be strengthened or reformed: human rights emergency situations, or protection of specific rights or specific vulnerable groups? What should be done to make the machinery more effective and at the same time to reduce the burden on Governments caused by various human rights procedures? How can the human rights procedures and mechanism be made more accessible to civil society, to individuals? How should the problem of human and financial resources in the area of human rights be addressed? Such questions should be addressed to arrive at concrete, pragmatic proposals.

43. It is to be noted that the impact of treaty-based bodies on national legislation and practice is continually growing. Jurisprudence of the Human Rights Committee, the Committee against Torture and the Committee on the Elimination of Racial Discrimination is quoted in courts the world over and studied in universities and other institutions. The report of the Special Rapporteur of the Human Rights Committee on follow-up of views shows that many States have complied with the Committee's views by amending legislation, releasing prisoners, and paying compensation to victims. The Programme of Technical Cooperation assists States in implementing the views of the treaty bodies.

44. To enhance the implementation of the Convention on the Rights of the Child, a special Plan of Action was prepared by the High Commissioner and within that framework States have contributed funds to enable the High Commissioner/Centre for Human Rights to hire in 1997 five substantive staff members to carry out integrated activities of research, review of legislation and practice, analysis of particular State situations, liaison with special rapporteurs, assistance in the building of infrastructures and other advisory services and technical assistance. The Plan of Action may pave the way for similar plans with regard to other treaty monitoring mechanisms. The Committee on Economic, Social and Cultural Rights, in December 1996, mandated its Chairperson to draw up a Programme of Action encompassing the full range of measures that would be necessary to ensure that adequate attention is given to promote respect for the International Covenant on Economic, Social and Cultural Rights.

45. The thematic mechanisms continue to play an important role in giving effect to the commitment of the international community to reduce the number and gravity of human rights violations, and ultimately to eliminate them completely. Special rapporteurs and representatives, or working groups,

investigate the occurrence of phenomena as diversified as torture, extrajudicial executions, religious intolerance, violence against women, mercenaries, the dumping of toxic waste, freedom of opinion and expression, etc. There are now 18 thematic mechanisms: 13 established by the Commission on Human Rights and 5 by the Secretary-General. 2/ The country rapporteurs and representatives of the Secretary-General have been mandated to follow human rights developments in 16 countries.

46. Annual meetings of the chairpersons of the human rights treaty-based bodies and of the special rapporteurs/representatives/experts and chairmen of working groups of the Commission on Human Rights, convened by the High Commissioner for Human Rights, have become important coordinating forums. The meetings promote joint urgent actions, field missions, and meetings and consultations in respect of human rights situations of a given region or subregion. The meetings in 1996 concentrated, inter alia, on the follow-up to the views of the treaty-based bodies and the recommendations of rapporteurs and working groups. The High Commissioner has been requested to carry out a study on the conditions under which he could facilitate the implementation of those recommendations. He also assists the Commission, its mechanisms and other relevant parts of the United Nations human rights machinery, as well as Governments, in establishing and developing mutual working contacts. In his dialogue with Governments, the High Commissioner takes up matters which have been the subject of the recommendations adopted by the Commission and its mechanisms. Other proposed activities such as institutionalizing the practice of systematic follow-up visits by thematic rapporteurs or groups to countries to help Governments overcome any difficulties they may encounter in the implementation of the recommendations made after initial visits are hampered by the existing financial constraints.

B. High Commissioner/Centre for Human Rights

47. The Medium-Term Plan for the period 1998-2001 in the field of human rights is based on the Vienna Declaration and Programme of Action, including the principles that democracy, development and respect for human rights are interdependent and mutually reinforcing and that all human rights are universal, indivisible and interrelated. The plan will be implemented in the framework of three subprogrammes: (a) the right to development, research and analysis; (b) supporting human rights bodies and organs; (c) advisory services, technical cooperation, and support to human rights fact-finding procedures.

48. One of the key targets of the restructuring of the High Commissioner/Centre for Human Rights has been the better management of information on human rights. On 10 December 1996, Human Rights Day, the High Commissioner launched the United Nations Human Rights Web Site (http://www.unhchr.ch) on the Internet to meet the need for timely and worldwide dissemination of information on human rights. The Web Site provides the international community with easy access to human rights conventions and declarations, relevant documents and resolutions adopted by the United Nations organs and bodies and comprehensive information on activities of the United Nations dealing with human rights. It will be

continuously updated to meet the needs of the international community. The French and Spanish versions will be launched as soon as the English version of the Web Site is completed. A large number of positive and encouraging comments on the Web Site have been received.

49. In this framework, an integrated human rights information system, which requires a basic change in the existing procedure of human rights information management, is being established. Timely processing of human rights information, smooth flow of information for decision-making and better communication and information-sharing within the Secretariat are only a few of the essential needs which should be met. The new system requires an extensive application of information technology, which enables computer networking for communication, designing, building, updating and sharing human rights databases, and electronic processing and retrieval of documents.

50. The system-wide financial cuts in 1996 have reduced the resources of the United Nations human rights programme provided by the regular budget. Serious efforts have been made to minimize their negative impact on the capacity for action. However, the ever-growing demand on the United Nations human rights programme to engage in such areas as confidence-building measures, technical cooperation, education, monitoring, etc. makes it indispensable to establish an adequate and reliable mix of regular budget resources and voluntary contributions from Governments and private entities. The High Commissioner consistently appeals to Member States and others to contribute to his endeavours. The fund for human rights field activities, which is a component of the voluntary fund for the support of the activities of the HC/CHR, has met with great interest and support by Governments. Several countries, including developing ones, have already made contributions.

51. The new structure of the High Commissioner/Centre for Human Rights provides a functional basis for meeting current and future needs. Emphasis on accountability, teamwork and responsiveness to ever-increasing demands, new methodologies of work, including the linkage between units and a more effective information network, are already bringing visible results which have been noted by the Permanent Missions in Geneva and New York, by agencies and programmes, by treaty-based bodies and special procedures, and by NGOs and other partners.

VIII. 1998 - HUMAN RIGHTS YEAR

52. The fiftieth anniversary of the Universal Declaration of Human Rights - a common standard of achievement for all people in all nations - is an ideal opportunity for an in-depth reflection on human rights and their future. The World Conference on Human Rights provided a means for evaluating the progress made and difficulties faced in implementing human rights by linking the fiftieth anniversary with the five-year review of the Vienna Declaration and Programme of Action. Thus, 1998 should offer the opportunity to: (a) strengthen the promotion and protection of human rights worldwide; (b) review and assess the progress that has been made in the field of human rights since the adoption of the Universal Declaration; (c) review the progress made in the implementation of the Vienna Declaration and Programme of Action; and (d) envisage ways and means to further develop the United Nations human rights programme to meet current and future challenges.

53. Governments, United Nations agencies and programmes, international organizations, academic institutions and non-governmental organizations should give impetus to a worldwide movement to make the commemoration of the Universal Declaration a framework for a renewed commitment to human rights, to people who suffer under oppression, and to future generations. In order for people to participate fully in the commemoration of the anniversary, programmes and activities should be planned in local communities with the cooperation of NGOs, schools, businesses and all other interested partners. This global movement will be evidence that human rights reflect not only hopes and aspirations but also essential interests and legitimate demands of all people on all continents. The international seminar "The Universal Declaration of Human Rights at the dawn of the XXI century: from acceptance to implementation", which was organized by the Governments of Poland, Germany and South Africa in Warsaw on 30 and 31 January 1997, was the first international event in the context of the forthcoming anniversary.

54. The landmark year of 1998 provides a fitting time for Governments to envisage steps which could be taken to advance the cause of human rights in all countries, including, as appropriate, ratifying human rights treaties, holding parliamentary debates aimed at the development of human rights legislation, strengthening national human rights capacities, and developing human rights education. The creation of national plans of action for human rights could provide a structure for various programmes and activities, and in this way substantially contribute to the commemoration of the fiftieth anniversary of the Universal Declaration at the country level. To that end, Governments may wish to establish national committees for the commemoration of the Universal Declaration.

55. In 1996, the Commission on Human Rights and the General Assembly began preparations for the anniversary and clearly indicated its importance. Their resolutions (1996/42 and 51/88, respectively) request the High Commissioner to coordinate these endeavours. In his report to the fifty-first session of the General Assembly, the High Commissioner presented the outline for the relevant human rights activities in 1998. In 1996, the High Commissioner/Centre for Human Rights initiated United Nations inter-agency consultations which will provide a continuing forum throughout 1997 and 1998. On 25 October 1996, the High Commissioner addressed the United Nations Administrative Committee on Coordination to present the concept of human rights events in 1998. The ACC will discuss the progress made in the preparations at its April meeting. The High Commissioner's meeting with the NGO community on 13 December 1996 launched consultations concerning planning for the fiftieth anniversary with civil society. The plan for specific activities which involve not only the High Commissioner/Centre for Human Rights but also cooperative activities with other United Nations agencies and programmes has been elaborated. The High Commissioner has also sent letters to the heads of Government, United Nations agencies and programmes, international organizations, non-governmental organizations and academic institutions with an invitation to cooperate closely in the preparations for 1998. The new United Nations Human

Rights Web Site, through its segment "50th Anniversary of the Universal Declaration", provides a practical tool for communication and coordination between all partners involved in the preparations. In 1997, the High Commissioner intends to continue sectoral consultations with all partners to discuss preparations for the anniversary.

56. Review of the progress in the implementation of the Vienna Declaration and Programme of Action during the first five years since its adoption should include a thorough analysis of the achievements attained and the obstacles remaining to the full realization of the recommendations adopted at Vienna. A frank and open debate will be of paramount importance for future efforts aimed at the promotion and protection of human rights. It is useful to identify well in advance what role the Commission on Human Rights, the Economic and Social Council and the General Assembly should play in reviewing the implementation of the Vienna Declaration and Programme of Action. Governments, United Nations agencies and programmes, international organizations and non-governmental organizations are encouraged to launch preparations for the presentation of their reports and views on the progress made in the implementation of the Vienna Declaration and Programme of Action, in accordance with section II, paragraph 100, of this document. 3/

57. The Commission on Human Rights may wish to undertake in 1998 an initial evaluation of the implementation of the Vienna Declaration and Programme of Action. The results of this debate could provide input to the work of the Economic and Social Council and the General Assembly. This exchange would be enhanced considerably if held during a high-level segment of the Commission. The Council, in its decision 1996/283, endorsed the recommendation of the Commission on Human Rights (1996/83) to devote the coordination segment of its session in 1998 to the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action as part of the overall coordinated follow-up to major United Nations conferences. This would be an excellent occasion to analyse the implementation of the Vienna Declaration and Programme of Action throughout the United Nations system.

58. The General Assembly may wish to carry out in 1998 a comprehensive analysis of the progress achieved in the implementation of the Vienna Declaration and Programme of Action and to consider recommendations made by the Commission on Human Rights and the Economic and Social Council. Thus, the report of the Secretary-General to the General Assembly on the implementation of the Vienna Declaration and Programme of Action will highlight the activities of all actors involved, including international and regional organizations which are not parts of the United Nations system and civil society.

59. A multifaceted and timely preparation of the celebration of the fiftieth anniversary of the Universal Declaration and of the review of the implementation of the Vienna Declaration and Programme of Action will be an important contribution to the promotion and protection of human rights. A spirit of solidarity and cooperation should guide the international community in this endeavour.

Notes

1/ A full account of the programme and its various components can be found in the relevant report of the Secretary-General to the Commission on Human Rights (E/CN.4/1997/86).

2/ See also the "Note by the Secretariat on human rights and thematic procedures" (E/CN.4/1997/38), which contains the conclusions and recommendations of the various experts entrusted with thematic mechanisms.

3/ See also General Assembly resolution 51/118, "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action".